

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT PADILLA,

Defendant.

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CR No. 19-CR-3113 JB

UNOPPOSED MOTION FOR LEAVE TO FILE OUT OF TIME

The United States of America moves the Court for leave to file the attached response and exhibits out of time. As grounds, the United States submits:

1. On September 1, 2021, Defendant filed a motion for recusal. Doc. 546. Following a request for a stay of the proceedings, on August 1, 2023, Defense counsel emailed the Court requesting that the stay be lifted, and a hearing be reset. Doc. 801.

2. The United States requested that the Court grant it an additional one week time, to August 22, 2023, to respond to Defendant's motion to recuse, Doc. 802, but as of the date of this filing, no order has been entered.

3. Counsel for the United States had a computer issue that prevented the timely filing of the attached response and exhibits. Therefore, the government now files this motion for permission to file out of time.

4. Counsel for Defendant, Joe Romero, does not oppose this motion.

WHEREFORE, the United States respectfully requests that the Court grant leave for the United States to file its attached Response and Exhibits out of time.

Respectfully submitted,

ALEXANDER M.M.UBALLEZ
United States Attorney

Electronically filed on 8/23/2023
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I HEREBY CERTIFY that I electronically filed
the foregoing with the Clerk of the Court
using the CM/ECF system which will send
notification to opposing counsel of record.

Filed Electronically
ELAINE Y. RAMIREZ
Assistant United States Attorney